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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Motoaki Kamachi

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SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

EXAMINER

GOON, SCARLETT Y

ART UNIT

PAPER NUMBER

1623

NOTIFICATION DATE

DELIVERY MODE

10/14/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sughrue@sughrue.com  
PPROCESSING@SUGHRUE.COM  
USPTO@SUGHRUE.COM

### **ADVISORY ACTION**

This Office Action is in response to Applicants' proposed amendment and response after FINAL filed on 20 September 2010.

Applicants' proposed amendment adding new limitations in the proposed amended claim 1, the independent claim, presents a new issue for search and consideration by the Examiner since the limitation of the claims and scope of claims have been changed and would thus require a new search and new rejections.

Therefore, the proposed amendment After Final will not be entered.

Applicants' arguments, submitted 20 September 2010 with respect to the rejection of instant claims 1, 4, 5, 7, 14, 15, 21 and 22, under 35 USC § 103(a) as being unpatentable over JP2003-252904 by Kakuchi *et al.*, in view of U.S. Patent No. 5,900,241 to Roulier *et al.*, have been fully considered but are not persuasive in view of the proposed amendment not entered. Specifically, Applicants argue that the prior art does not teach an external preparation for the skin that is a liquid or lotion, nor does the prior art disclose a composition that further includes silicone oil. This argument is not persuasive in view of the proposed amendment not entered.

Applicants' arguments, submitted 20 September 2010 with respect to the rejection of instant claims 1, 4, 5, 7, 14, 15, 21 and 22, under 35 USC § 103(a) as being unpatentable over JP2003-252904 by Kakuchi *et al.*, in view of PG Pub No. US 2002/00065328 A1 by Dederen *et al.*, have been fully considered but are not persuasive

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in view of the proposed amendment not entered. Specifically, Applicants argue that claim 1 has been amended to recite that the branching degree of the multi-branched polysaccharide is 0.05 to 1.00. This argument is not persuasive in view of the proposed amendment not entered. Furthermore, while it is noted that Applicants have amended claim 1 to recite a branching degree of the multi-branched polysaccharide of 0.05 to 1.00 in an attempt to be commensurate in scope with their arguments of unexpected results as shown in the Declaration dated 13 April 2010, it is not readily apparent that the single multi-branched polysaccharide with a branching degree of 0.5 is sufficient to represent the entire branching degree range of 0.05 to 1.00.

All rejections of record in the Final Office Action dated 19 May 2010 are maintained in view of the proposed amendment After Final not entered.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCARLETT GOON whose telephone number is 571-270-5241. The examiner can normally be reached on Mon - Thu 7:00 am - 4 pm and every other Fri 7:00 am - 12 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia Jiang can be reached on 571-272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shaojia Anna Jiang/  
Supervisory Patent Examiner, Art Unit 1623

/SCARLETT GOON/  
Examiner  
Art Unit 1623